

**THE IMPACT OF PRIVATE INTERNATIONAL DONOR FOUNDATIONS ON SEXUAL AND
REPRODUCTIVE HEALTH ORGANISATIONS IN SOUTH AFRICA.**

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COMPULSORY DECLARATION

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in this dissertation from the work, or works of other people has been attributed and had been cited and referenced.

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TABLE OF CONTENTS

ACKNOWLEDGEMENTS	i
LIST OF FIGURES	iv
LIST OF ABBREVIATIONS	v
ABSTRACT	vi
 CHAPTER 1	
INTRODUCTION	1
1.1 Overview	1
1.2 Research Aims	3
1.3 Methodology and Limitations	4
1.4 Commonly used terms	6
1.5 Chapter outline	8
 CHAPTER 2	
INDEPENDENT INTERNATIONAL FUNDING	9
2.1 Overview	9
2.2 Funding since 1994	10
2.3 Official development assistance to South Africa	11
2.3.1 The Paris Declaration on Aid effectiveness and ODA	12
2.4 Philanthropy and Private Foundations	13
2.4.1 Departure from traditional philanthropy	15
2.4.2 Strategic Philanthropy	17
2.4.3 Philanthrocapitalism	18
2.5 Philanthropic funds in South Africa.....	20

2.6 Analysis and Critique	22
2.6.1 Critique of Strategic Philanthropy	23
2.6.2 Critique of Philanthrocapitalism	26
 CHAPTER 3	
FUNDING THE SEXUAL AND REPRODUCTIVE HEALTH SECTOR IN SOUTH AFRICA	29
3.1 Overview	29
3.2 International development of the Sexual and Reproductive Health Movement	30
3.2.1 International Conference on Population and Development	31
3.3 Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa	32
3.4 Sexual and Reproductive Health and Rights in South Africa	34
3.5 Funding to the Sexual and Reproductive Health sector	36
3.6 Experiences of South African NGOs	40
 CHAPTER 4	
CONCLUSION	43
4.1 Summary	43
4.2 Recommendations	44
4.3 Further research	45
 REFERENCES	47

LIST OF FIGURES AND TABLES

Figure 1: Independent funding to the Human Rights and Health Sectors in South Africa	40
Table 1: Influential legislative and policy for reproductive health in South Africa	35

LIST OF ABBREVIATIONS

CSO – civil society organisation

GPC – Global Philanthropists Circle

HIV/Aids – human immunodeficiency virus / acquired immune deficiency syndrome

IATI – International Aid Transparency Initiative

INGO – international non-governmental organisations

MDG – Millennium Development Goals

NGO – non-governmental organisation

OECD – Overseas Economic Committee for Development

ODA – official development assistance

SRH – sexual and reproductive health

UN – United Nations

ABSTRACT

“Foundations can subtly redefine or steer organisations in a desired direction, through either bureaucratic 'cherry-picking' the organisations that they want to work with - which could be solicited to submit funding proposals; or over-time professionalising the organisation and providing capacity-building and skills development, placing the organisation in a new context” (Bartley; 2007: 229)

Recent actions by bilateral and independent donors to downsize or withdraw funding from South African civil society, has resulted in the closure of some non-governmental organisations, and placed financial pressure on whole sectors in civil society. These developments have created a renewed interest into the funding relationships and impact of donors on non-governmental organisations, and the issues that they represent. This thesis focuses on philanthropic foundations and how, through their operating procedures, they impact grantee organisations and more broadly non-governmental organisations within a specific sector. By understanding the way independent donors, through their foundations, operate and disburse funding, one can gain insight into how relationships with grantees develop and donors are able to influence the agenda-setting. This thesis provides an overview of philanthropy and the impact it has had on the sexual and reproductive health sector in South Africa, in particular. In so doing, a brief background on the funding history by independent and bilateral donors to South Africa is given. This highlights a close relationship between civil society and foreign based funders. The historical reliance by civil society on independent donors, and the small pool of donors active in funding to sexual and reproductive health rights creates an environment in which organisations that are operating in the sector are influenced by the direction and mission of the donor foundations.

CHAPTER ONE

INTRODUCTION

1.1 Overview

“Citizens groups need resources to do their work in the form of people, money, ideas and passion, so philanthropy (and philanthrocapitalism) will have a “steering effect” on what they do and how they do it” (Edwards; 2008:30).

International aid in the form of funds from overseas development agencies and independent donor foundations has been an element of countries' transitions towards democratic rule in the 20th and 21st century. This funding is often crucial for the ability of government and civil society to implement democratic norms and standards and to establish a human rights culture in which civil, political and socio-economic rights are recognised and realised. Internationally, funding to women's rights and sexual health focused groups is not popular which is also true of the South African experience. This is contrary to the increase in the introduction of sexual and reproductive health (SRH) rights into international and national laws since the 1990s. Civil society actors, including women's rights groups, have been critical to the changes that have taken place, and require funding in order to continue to play a crucial role (UNFPA; 2010).

South Africa has been a long-standing recipient of donor funds, with an increase in donor activity and support since the end of apartheid in 1994 (Ewing and Guliwe; 2005:4). The advent of democracy enshrined the recognition of human rights for all people living in South Africa in the founding provisions of the South African Constitution (1996). This provided international donor foundations with many opportunities to assist non-governmental organisations in advocating for and securing a variety of human rights.

The South African experience in the early 1990s with regards to the receipt of funding is similar to that of other developing countries and new democracies. However, overseas development assistance (ODA) funds from bilateral donors changed during the early years of the democratic South Africa. It initially supported civil society organisations but later funds were directed to government for service delivery and technical support. It was thought that with the advent of democracy in South Africa in 1994 that the civil society sector would cease receiving funding from

international donors. However, research conducted by the International Organisation Development Association in early 2000, found that although funds were directed towards government, NGO funding had not declined. The U.S Foundations in South Africa study mentioned in Moyo (2001) indicated that even though some overseas foundations rerouted development funding to the government, the United States (US) based foundations did not follow this trend and maintained it's funding to NGO's. Moreover, the study showed that US funding was not cut back during South Africa's transition and has since steadily increased.

Until recently in 2013, despite classification as a middle income status country, support from bilateral donors has continued to South Africa, due to low social indicator levels and one of the highest levels of income inequality and access to services ratios in the world (UNDP report in Habib and Maharaj; 2008:255). Social indicators are used to determine how well a country is developing and measure a standard set of criteria across education, population, health, housing, and work (unstats.un.org). However, recent decisions by some bilateral donors will see a decrease in funding to South Africa (Stuart; 2013), to be implemented over the next few years. This places a number of South African NGOs in a fragile position with regards to funding sustainability, as ODA funds were also channelled through NGOs by bilateral donors (ibid).

The availability of funding fluctuated over the years depending on the sector in which organisations worked. Since 2010 a variety of donors have notably declined funds to South African civil society for a number of reasons, ranging from the economic status of the country to the spending-down of certain foundations. The provision of funding to South African civil society by international foundations may tacitly allow for the determination of particular issues to be pursued and in what manner.

Civil society, which previously received bilateral donor support, has had to start approaching independent donor foundations for funding and technical support. This comes with its own set of constraints and challenges. Like bilateral donors, independent donor foundations also have their own mission and specific focus areas in which they want their funds to make a difference. While independent donors may not attach political or developmental requirements to funding, the focus of these donor organisations may differ to the identified needs of civil society by non-governmental organisations. Donors are increasingly setting their own agendas and then soliciting organisations to fund. This is often project-based funding which have particular requirements

attached to the use of the funds. The choice by donors to move from total organisational funding to project based funding may result in the undermining of the organisation's independence to determine their strategy and interventions in response to their constituent's needs and the ability to ensure organisational sustainability, as core funding is not provided. A challenge for a number of organisations is the act of balancing donor agendas with their own organisational goals, while seeking funds that will allow for organisational longevity and sustainability.

Essential to this research is an understanding of whether the funding available to organisations working on SRH in South Africa post 1994 was part of a long-term funding objective and is sufficient to sustain these issues. Or, was the funding received time-bound and specific to the topic of SRH as it was seen as the 'hot' issue of the day, but could be suddenly replaced by another non-related issue? It is anticipated that this paper will be relevant to independent donors making grants, recipient organisations, and members of the NGO sector. It will also be of interest to scholars concentrating on the development of civil society, and the ability of this sector to determine which issues to focus on and its power to set the agenda.

1.2 Research aims

This thesis aims to explore the impact of private donor foundations on the agendas of sexual health and rights (SRH) organisations in South Africa since 1994. More specifically this research attempts to understand the relationship between donors and recipient organisations, and the effect this has on the development and progression of human rights, in particular sexual and reproductive health and rights, in South Africa. In doing so it will also ask whether the specific funding policies and focus shifts by independent donors has added to the decline of the women's sector in South Africa and its advocacy on sexual and reproductive health rights. The interest in SRH is based on the noticeable under-representation of women's issues by organisations in South Africa. This is apparent in issues pertaining to women's rights and choice regarding their sexual and reproductive health and their ability to exercise these rights.

Other related issues that will be touched on but will not form the focus of the research include whether philanthropic funding has filled a gap left by the retraction of other funders, and whether South African civil society has become excessively dependent on donor funding, and the consequences thereof.

It is anticipated that a result of the reliance on external funding sources will also impact the extent to which donor organisations can influence the agenda-setting of recipient organisations. In many cases countries become reliant on donor aid for certain service delivery functions. This relationship is not exclusive to governments, as civil society is also supported, and heavily subsidised by donor agencies and independent foundations. As Hulme and Edward (1997) mention “while NGO's remain diverse, there is clear evidence that this diversity is being reduced by donor policies” (Hulme and Edwards; 1997:9).

1.3 Methodology and Limitations

The research undertaken for this paper is mainly qualitative in nature. In order to adequately address the research question a variety of methods have informed the analysis of this topic. These include desktop research, a literature review and a series of informal interviews. A range of primary and secondary sources have been utilised for the research such as international conventions and declarations, financial and annual reports, as well as peer-reviewed journal articles, working papers and books. The choice of data sources and the type of collection tools used was determined by the subject of the paper. Information on philanthropy and particularly the practice in South Africa and its effect on local organisations have been documented in journal articles and practical studies. In order to understand the undocumented experiences of organisations based in South Africa, interviews with representatives of selected organisations based in South Africa, relevant to the study, were conducted.

The time-frame chosen for the research, 1994-present day, has presented some limitations in accessing information on the activities of both donors and SRH NGOs in South Africa. The process of documentation, during the transition period in South Africa was unstructured and often times ad hoc. There was also no necessity that this information, by either foundations or organisations, be made public. In addition the ability to store information in an electronic format that was publicly accessible was not available until the early 2000s.

South Africa has been the recipient of large sums of funding from independent donors since 1994, as it has been of ODA, from the material available it is seen that the “patterns of giving to South Africa mirror the international agendas of donors” (Ewing and Guliwe; 2008: 268). However, identifying the funding trends and information on funding by independent donors is more difficult to establish, as the available monitoring and documentation of independent funds is limited

“It is not possible to quantify accurately the volume of international private aid flows to South Africa on an annual basis. This is because not all grantmakers publish their giving by country...” (Ewing and Guliwe; 2008:265). The information becomes even more elusive when refining the search to get information on particular issues within sectors, such as sexual and reproductive health. The lacuna of information could either be as a result of the historical covert relationships between funder and recipient, as explained earlier in this chapter, or because of weak or not publicly available financial records and reporting by both parties. This became even more evident after a request was sent to Atlantic Philanthropies to access its annual reports for the period 1994 – 2004 for its funding in South Africa. The only reports available electronically on their website started from the year 2004. The response received from Atlantic Philanthropies indicated that reports prior to 2004 are not publicly available. Not being able to access information prior to the year 2000 seems to be the case with other foundations too. Without being able to access the funding information from the foundations, one can only infer how their strategies were implemented, and any subsequent influence on the recipient organisation's agenda.

Given that there is limited research into the role of private donors and foundations in South Africa during 1994-2000 some interviews were conducted to gain first-hand information from recipient organisations. As mentioned funding to South African civil society organisations has declined over the years due to the strategic review of independent donors and the reduction or withdrawal of funds by multi-and bilateral donors. Due to this unrecorded, unstructured informal interviews were conducted and the interviewees' anonymity was maintained so as not to jeopardise any funding sources they have. There were five interviews held with representatives from women's organisations and SRH activists. While these interviews were unstructured, there were some core questions that were asked in order to provide a background to the person's involvement in the women's sector in South Africa during the time of the study. The interview mainly focused on the type of funding that was being received by the organisation, and whether this had an impact on the programmes or focus of the organisation. A question was also posed about the perceptions of the funding environment since 1994; were there sufficient funds, had there been a change in funding priorities; and what was the current status of their respective organisations? The information gathered during the interview sessions was used to create a nuanced picture and understanding of the NGO sector and the SRH sector in particular with regards to the relationship experienced with independent donors.

The use of material and research that is available for similar sectors in different locations was used to create a nuanced understanding of the funding environment. Although philanthropy and private funding has been around for a number of years, many of the current and past articles and research within the time frame of this paper are only available in journals and as conference papers as there are a limited number of books on this topic. The research for this thesis thus relies heavily on the articles and papers that are available.

A further limitation to this research is that the majority of material that is available on the subject of donor relations and funding in South Africa, during the period under review, is particular to bilateral donors and the diversion of money and technical assistance away from civil society organisations to the state, in the form of overseas development assistance. This shift of funding is related to the democratic change in the country that took place in 1994. According to Ewing and Guliwe's research in Habib and Maharaj (2008) the reason for ODA funding may vary according to the locality, and is often related to foreign policy or security motives. To get information on philanthropy and independent donors, texts and case studies by scholars located in the United States and western Europe have to be consulted (Habib, Maharaj and Nyar; 2008), as there is little local literature on philanthropy and funding with particular reference to South Africa and the SRH. It is further emphasised by Habib *et al* (2008) that scholarship in the field of philanthropy tends to be more practically orientated than academic.

1.4 Commonly used terms

To ensure clarity when referring to terms throughout the thesis, the following concepts used for the purposes of this research will be clarified: human rights, civil society, non-governmental organisations, and philanthropy. It is understood that the definitions used throughout this thesis reflect the understanding and use of the terms.

Human Rights: According to the United Nations Office of the High Commissioner of Human Rights (OHCHR), human rights are “inherent to all human beings, regardless of nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status”. It is stated that humans are all “equally entitled to our human rights without discrimination” (ibid). Human rights are considered to be universal, as was first emphasised in the Universal Declaration on Human Rights in 1948. South Africa is a signatory to many of the international human rights conventions, declarations, and resolutions that have reiterated the principle of universality.

Most of these international treaties and conventions also mention that signatory States have a duty to respect, protect and fulfil all human rights and fundamental freedoms, regardless of their political, economic and cultural systems.

Civil society: Civil society is a contested term, and there are as many definitions for civil society as there are academic scholars and practitioners (Glaser; 1997:7). Donor organisations and foundations themselves have not unanimously agreed on a definition for the term 'civil society', and often use the phrase interchangeably with other terms such as voluntary sector; non-profit sector and third sector, to name a few (Moyo; 2001:98). Without an agreed definition amongst donors, inconsistencies may appear when comparing the way in which donors interact with and fund civil society. The definition for 'civil society' used in this thesis is linked to the radical democratic theory, which places civil society's independence from the economy at its centre. According to this theory 'civil society' is made up of people who are able to associate freely around points of interest, and is seen as the “organised expression of various interests and values operating in the triangular space between the family, state, and the market” (Ballard; Habib (*et al*); 2005:617). Within the construct of civil society it is important to remember that there are a variety of actors and includes “vast disparities of wealth, power and influence” (Coetzee and Graaff; 1996:289).

Non-governmental organisations (NGOs) form a part of civil society, as defined above. The concept of non-governmental organisation was introduced at the inception of the United Nations in 1945, to differentiate between the participation rights of international private organisations and intergovernmental organisations (Willetts; 2002). It is important to note that non-governmental organisations are usually understood to be “not-for-profit or third sector organizations concerned with addressing problems of poverty and social justice” (Lewis; 2007:1). NGOs address these issues by either being directly involved in service delivery to the affected people, or indirectly via “campaigning and policy advocacy to bring about structural change that will improve the position of people” (*ibid*).

Philanthropy is derived from the Greek word meaning 'to love people', or love for humankind, and is motivated by the notion of altruism, or “concern for the welfare of others” (Pifer; 1987:121). Anheier, an established scholar of philanthropy, civil society and governance, defines philanthropy as “the use of personal wealth and skills for the benefit of specific public causes and is typically

applied to philanthropic foundations and similar institutions” (Anheier and List; 2005:196). Philanthropic acts aim to have a public benefit and enhance humanity. Anheier, however, (2005) elaborates that it is often difficult to separate genuine philanthropic acts for the common good from self-interested behaviour or “lobbying on behalf of members or third parties”. The concept and practice of philanthropy will be elaborated on further in chapter 2.

1.5 Chapter Outline

The thesis is structured into four chapters, which includes this introductory overview. The second chapter will provide an overview of the type of funding that is available to NGOs, and the funding streams into South Africa, since 1994. An overview of philanthropic foundations, as well as a review of funding by independent donors¹ in South Africa, will be given. The chapter goes deeper into present day philanthropy and the individual donors and foundations practices in distributing this type of funding. Strategic philanthropy, and philanthrocapitalism, which has been the latest addition to debates on philanthropy, will be reviewed and discussed with a focus on the impact that these practices by donors have had on NGOs and organisations in the sexual and reproductive health sector specifically.

The third chapter will frame the South African sexual and reproductive health issues and sector in the regional and global discourse of SRH. Organisations working in the SRH sector in South Africa are used as a type of case study in this paper to illustrate how donor agendas and or other practices influence their ability to set their own agendas. The funding environment globally and locally for SRH issues will also be touched on.

In closing, the final chapter will present the research findings and provide recommendations on how NGOs can avoid agenda-setting influence by donors. It will also propose any areas that require further research.

¹ Philanthropic donors refer to those individuals who give away their money for an altruistic purpose. Independent donors do not primarily have a philanthropic purpose to their giving. An example of an independent donor would be a corporate entity that is required to 'invest' funds in civil society in order to for it to benefit from certain tax clearances or financial standings.

CHAPTER TWO

INDEPENDENT INTERNATIONAL FUNDING

2.1 Overview

This chapter reviews the funding history and flow of international funds to South Africa since 1994. An overview of official development assistance (ODA) to South Africa and a more in depth look at independent international funds and philanthropic foundation funds will provide a nuanced picture of the environment in which NGOs and government are often vying for foreign funding and support. This chapter elaborates on the nature of independent donors and outlines the thinking that has led to changes in philanthropy, which is evident in funding processes and the interaction and engagement of donors on the issues that they have identified as important. An analysis will be given of the main discussions that are currently taking place amongst scholars and practitioners of philanthropy on the inclusion of market-based behaviour and values to funding practices, which is now known as philanthrocapitalism. In addition the changes in the practice of independent donors, and its impact on funding recipients will be reviewed and discussed.

The year 1994 is chosen as a time frame because of the significant political change that took place in the country, which culminated in South Africa's first equal and democratic elections and the establishment of the government of National Unity. With the onset of democracy and the rejection of apartheid, changes were made to many policies and legislation, which required financial and technical assistance to implement. The period from 1994 also saw a shift in the nature of civil society, as there was no longer a need to oppose the government of the day and its laws. One of the main tasks of NGOs from 1994 onwards was to ensure that the basic rights that had been enshrined in the Constitution were implemented effectively, and that service delivery to that effect was progressively realised. This often included the necessary advocacy for legislation to be transformed to align the statute books to the spirit of the Constitution.

South Africa also received external funding prior to 1994. The incoming international funds were either in support of the government at the time, or towards anti-apartheid organisations and groups that supported the rights of marginalised populations (Kihato; 2001). Funding towards civil society focused on a variety of causes and issues including human rights and service delivery. Even though foreign funds could be directed towards civil society organisations at the time, there was

strict legislation in place that regulated who was able to receive funds and what these funds could be used towards. There had been several restrictive laws enacted from 1968 – 1989 that aimed to control the funding to and activities of the civil society sector and intended “to allow greater government control over CSOs, but also to stifle them by cutting off the flow of funds...” (Kihato; 2001:6). The highly regulated policy environment, and hostile political regime encouraged civil society organisations (CSOs) and foreign donors to have covert relationships and take on unconventional forms of funding. This was also extended to the NGO practices of governance and accountability for receiving funding from donors (Kihato; 2001).

2.2 Funding since 1994

The change in South Africa's political situation had an influence on how money, to be used for the promotion of democracy and human rights, could enter into the country. This was different to the entry points used in the period prior to 1994. The new democratic framework enabled official channels to be opened up for direct investment and overseas development assistance (ODA) from international governments to national government departments, including the occasional independent foundations and corporations. The transition also allowed for the continuation of funding from international independent donors to civil society; however it has been widely documented that the majority of funding going to civil society shifted towards the government. “Most of the literature acknowledges that the funding to CSOs decline dramatically post 1994, and that many donors redirected funding to the new government” (Kihato; 2001:5). Since 1994 there has been an increase in the number of bilateral agreements between South Africa and developed world governments, with a particular focus on political technical assistance, to ensure that the democratic project was a success. Bilateral partners were now legitimately able to support and build on government initiatives.

Bilateral aid, often referred to as official aid, is when funds or technical support is provided to developing countries. The intention behind this assistance is usually heavily influenced by the politics of the donor country. Bilateral funds could have some form of condition attached to the aid which the receiving country will need to comply with should they want to receive it. There has been a shift in the traditional bilateral donors over the past few years, as global power relations have begun to change.

An alternative for governments to bilateral funding is that of multilateral aid, where funds get disbursed through international organisations. The members of these organisations are made up of government representatives “who collectively govern the organisation and are its primary source of funds” (www.aidwatch.org.au). Examples of these types of institutions are the World Bank, the United Nations and the African Development Bank. Using multilateral organisations as conduits for funding to developing countries could be appealing to governments as it is seen as less political in nature than bilateral funding. Multilateral organisations pool the government funding contributions to enable large-scale programme implementation. The combined use of funds also provides governments surety in their financial contributions.

2.3 Official Development Assistance to South Africa

This funding terrain is often complex with a number of stakeholders and conditions to navigate. ODA will be briefly explored with a particular focus on the mechanisms that aim to monitor and regulate this type of assistance. Kihato (2001) mentions that there is limited analysis available on ODA and its trends in South Africa since 1994. Some figures that are available for ODA funding entering into South Africa show the steady increase of incoming funds between 1994 and 2002. According to the Indexmundi the pinnacle of ODA funding received by South Africa for the period 1993 – 2011 was in 2002 when it peaked at 2.9 per cent of South Africa's Gross Domestic Product (GDP). Records have shown a decline of funds from 2002-2011, averaging at about 1.67% of the GDP (www.indexmundi.com). O'Riordan disputes this in his recent research on ODA to South Africa. Using OECD figures he shows that “despite popular perceptions to the contrary ODA to South Africa has increased almost four-fold since 2002 with most major donors increasing their disbursements, with the largest increases being from the US, Belgium, Canada, Germany, Italy and Norway” (O'Riordan; 2013). Questioning why there is contradictory information and public perception towards funding in South Africa, O'Riordan suggests that there may be a benefit to NGOs, donors and Government alike, as oversight and accountability mechanisms may be diminished.

ODA funds are disbursed as either grants or loans to the recipient organisation. It is estimated that the majority of the ODA funds received by civil society are in the form of grants and not loans, which are more common in the private sector. The funding method, through either grants or loans, is significant as it could determine the extent to which the receiving organisation has autonomy and decision-making power over how the funds should be spent. “Funding often comes with

conditions on how, where and when it may be spent, and what outcomes are expected” (Kahito; 2001: 13). To balance the influence that ODA donors have on recipient governments and NGOs, as well as to ensure that development is in the best interest of the country receiving the assistance, the Organisation for Economic Co-operation and Development (OECD) and other multi-national organisations have developed guidelines for various aspects of effective development assistance.

2.3.1 The Paris Declaration on Aid Effectiveness and ODA

The Paris Declaration on Aid Effectiveness (Paris Declaration), its intricacies and political implications could be the subject of a separate thesis. However, for the purposes of this study an overview on the declaration and broad stroke critiques will suffice. The Paris Declaration is an attempt by the OECD and participating countries and organisations to provide the guidance and funding framework required to ensure effective development assistance, be it monetary or by means of technical support. State Ministers responsible for promoting development and the heads of multi- and bi-lateral institutions met in Paris in March 2005 to develop the Declaration on Aid Effectiveness, after two previous discussion forums. The signed Declaration resolves to reform the way in which aid is delivered and managed in developing countries. The Paris Declaration affirms and builds on the previous Declarations on Aid, namely the High Level forum on Harmonisation, Rome (2003) and the Marrakesh Round Table on Managing for Development Results (2004). Delegates identified a set of indicators and areas of commitment to enable aid effectiveness. These would be revisited and reviewed in 2008, and 2010.

The Paris Declaration outlines commitments and responsibilities relevant for effective development assistance, which both the donor and partner countries need to agree and adhere to. The areas covered in the commitments are: ownership, alignment, harmonisation, managing for results, and mutual accountability (Paris Declaration; 2005:3). Central to the success of the Paris Declaration is the partner country's development and adoption of its own national development plan. Moreover, the donors' respect of this plan, and commitment to see it implemented is key. Any aid conditionality or funding agendas should be aligned to the country's development plan. The alignment to the recipient country's development plan aims to prevent any donor led agendas or unrealistic and divergent conditions that may be detrimental to the partner country's success and self-identified development.

In reality, the Paris Declaration has a number of weaknesses. It has attracted criticism for its simplistic indicators that don't promote accountability or reflect the actual impact of the funding received. In a critique by Tandon (2008) the asymmetrical power relationship between Northern donors and Southern recipients is highlighted, which furthers aid dependency by Southern countries. Tandon also emphasised that in order to give the Declaration legitimacy and credibility it should be “properly embedded in the United Nations (UN) system” (Tandon; 2008). This would then allow the UN to analyse the declaration and align it to their aid effectiveness criteria related to other international development goals, such as the Decent Work Campaign and the Millennium Development Goals.

2.4 Philanthropy and Private Foundations

The dramatic increase in the amount of philanthropic funds that are available and particularly the growth in the number of American private foundations over the last two decades has prompted the use of the term the 'second Golden Age' for philanthropy (Crutchfield *et al*; 2011). This is noticeable in South Africa as the majority of independent funding coming into the country is from American based foundations. The development of, and increase in philanthropic funds is also evident in South Africa, as the growth of independent donors and / or foundations over the past few years have expanded substantially (Citadel; 2013). The rise in independent giving has been accompanied by the use of new tools and approaches to philanthropy. In addition to the “changing role of private enterprise, which is becoming a stronger force for solving societal and environmental problems” (Crutchfield *et al*; 2011:6), independent donors have invested in innovative funding approaches to issues that will result in a social and economic impact. As explained below the change from traditional approaches used by independent donors, while beneficial to the donor and for creating basic accountability mechanisms for foundations, may burden the grantees that receive funding from the foundations and could adversely affect certain sectors of civil society.

The capital flow from private sources is often in the form of philanthropic funds or business investments and developments in a developing country. The increase in this form of funding could be as a result of the increased power that private capital has in the global economy. Unlike bilateral and multi-lateral donors, private foundations do not have declarations or guiding documents to inform their funding and ensure aid effectiveness and accountability. The Paris Declaration (2005) as discussed above and the Accra Agenda for Action (2008) provides a framework for collaboration

between countries and donors to facilitate effective aid. With this Declaration in place a mutually beneficial funding partnership can be established. Interestingly of the signatories to the Paris Declaration, the Melinda and Bill Gates Foundation (Gates Foundation) is the only private Foundation that has signed the Paris Declaration. At a time when independent foundations were not expected to be transparent with their funding it was hoped that by the Gates Foundation's signing the Declaration it would encourage similar actions by other private donors, thus improving aid effectiveness on a larger scale by including independent donors. This in turn would provide a set of principles that can be used to monitor funding activities by foundations.

A brief explanation of the growth of American philanthropy and its independent foundations provides some context for the discussion. During the twentieth century, American private foundations became the apex of contemporary organised philanthropy and are at the centre of growing the non-profit sector (Vogel; 2006). The work of Stanley Katz and Joel Fleishman, who have both written extensively on American foundations and western philanthropy, will be used to reflect on and understand foundations and how they operate. Philanthropy in America, through organised means of giving by wealthy individuals came about in the early 1900s. The funds were mainly used within the United States (US) to benefit citizens on a number of issues. The main areas that philanthropists such as Carnegie, Rockefeller and Ford provided funds for included education, cultural affairs and research and development, particularly within the medical and science fields (Berman; 1983). It was only after World War Two that the geographic focus of the American philanthropist widened beyond the borders of the US.

With the expansion of philanthropic borders, the power of philanthropy as a 'trendsetter and incentive-provider for the development of 'global civil society'" (Vogel; 2006:639) becomes visible. The role of the foundation in spreading American culture and ideology became incorporated into foreign policy towards the developing world and had a far-reaching effect on the development of programs within Africa, Asia and Latin America. The influence that these foundations have wielded in the foreign policy arena of developing countries is an indication of how funds can influence the agenda of recipient organisations. Foundations also benefited by getting more results for their money from participating in the development of particularly strong countries in the above regions (Berman; 1983). The Cold War impetus for supporting democratic governance and building of open societies in the developing world seemed to be a major driver for the involvement of American foundations in development funding in the period between 1945 to 1960.

Foundations built on this history and success by continuing their public policy funding in developing countries. Foundations are able to indirectly influence public policy by financially supporting local organisations whose goals are aligned to that of the foundations'. As Ovsiovitch (1998) indicates, human rights are a common goal of many foundations, and by providing "necessary funds, philanthropic organizations are able to influence the agenda of human rights non-governmental organizations" (Ovsiovitch; 1998:341).

2.4.1 Departure from traditional philanthropy

The transformation of philanthropy, since the initial institutionalised giving of the great American foundations in the early 1900s, was bound to take place. This transformation is influenced by a number of factors including firstly, the changing nature of civil society and social issues, which demands attention and innovation in order for the issues to be addressed. Secondly, the diversity of donors and issues that are present in the sector affects how funding is implemented and strategies are devised. Frumkin (2010:157) reiterates that "philanthropy lacks the coherence of a traditional occupation or field... it is practiced not only by a homogeneous group of wealthy elites, but by people from all walks of life". Finally, the economic environment in which independent donors operate also influences the nature of philanthropy, particularly the methods that are used to engage on issues that are of importance to the donor, and in some cases even which issues are identified. Independent donors are reliant on economic systems as these markets often secure or maintain their investments and endowments, which are used towards the work of their foundations and any related grantmaking (Inyathelo; 2009). The consequence of the economic environment on philanthropy was evident after the 2008 global economic recession. Significant changes in the philanthropic sector were witnessed as the economic structures of the global north came under extreme pressure. This turn of events impacted how foundations have been able to spend their money, determining the method and value of funds that can be distributed.

Fleishman sees foundations as enablers for civil society organisations to advocate for and effect social change on a number of fronts from human rights to social policy, environmental protection and service delivery. "Foundations provide the capital that powers innovation and diverse experimentation in the civic sector" (Fleishman; 2007:3). The way in which foundations can facilitate social change is by providing funds to NGOs, or other programs whose work is in accordance with the foundation's mission and intention. Fleishman goes on to explain that there are three roles which foundations can play in their grant making capacity. Often these roles can

blur, and one may not be able to define a foundation by a particular role. Understanding each of the roles associated with foundations is a starting point to understanding how they choose to work, and the potential impact that they can have on the agendas of their grantees. The first of the roles is the 'driver' where the "foundation itself maps out and directs the change effort" (Fleishman; 2007:3). In this role the foundation conceptualises and initiates a response to a particular issue that they have identified. In many cases the foundation approaches certain organisations to implement the strategy that they have devised. The driver role may be an option to foundations if there are no other organisations that are involved in the issue, or better placed to deal with it. Crutchfield *et al* refer to the driver role as catalytic philanthropy, which is where the donor has more to offer than just grant making, "they shift their stance from passive grantmaker to proactive problem solver" (Crutchfield *et al*; 2011:4). Catalytic donors become involved in an issue working in collaboration with partners and other foundations, rather than participating at an arm's length distance through its grantees. The second role that Fleishman describes is that of the "partner". Even though this role can be as strategic as the driver, partners are not as involved in the implementation of projects and are less controlling of the initiative. As a partner the foundation participates in the strategy process and makes decisions with the other partner organisations. The foundation then makes "grants to support those organizations as well as others that simply implement the strategy" (Fleishman; 2007:4). Most foundations choose to play a partner role, as it is more cost effective and allows for the change to be driven by the organisations rather than the foundations in a top-down approach. There are some drawbacks to taking on the partner role, as the implementation and outcome approach chosen by the organisation driven approach could result in failure. This is mainly due to poor leadership on the part of the recipient organisation, which the partner foundation cannot control. The final role to be explained is that of the 'catalyst'. This is different to Crutchfield's use of the term catalytic donor. Fleishman sees the catalyst role as exploratory. The foundation may not have a strategy on a particular issue, because it may be inconceivable or premature, but it will make grants to organisations that are dealing with the social problem without prescribing or expecting a particular outcome.

2.4.2 Strategic philanthropy

“Over the last decade, strategy has become the favored word among non-profit leaders in general and foundation leaders in particular” (Fleishman; 2011:58). The emphasis on strategy and impact has increased beyond just looking at the numbers of people served. Donors have become more engaged “from giving to strategic engagement via venture capital” (Lloyd and Breeze; 2013). The strategies and methods of giving vary among independent donors. However, as Fleishman (2011) indicates, these are simple and distinct strategies that have been employed across the many foundations. Even though the strategies may be simple, often the process of establishing a strategy is a tedious and complicated task. Frumkin (2011) noted that it is challenging to explore the strategies of foundations, as giving takes on different forms and fulfils different ideals and ambitions for each foundation. To be better able to navigate the strategies of philanthropists Frumkin (2011) provides five core questions that can be used to understand the strategy process of a foundation. These questions attempt to get to the core of philanthropists funding aims. They range from the interrogation of what is important to the foundation and the community that it wants to work in, to what kind of giving needs to take place in order to achieve the goals identified by the funder. The responses to these questions will provide the basis of any foundation's involvement in an issue or area. This method of inquiry has been used by many organisations to review and establish their strategies, which in turn affects their funding decisions. The current social and environmental issues call for multi-faceted responses, which require philanthropy to move beyond traditional grantmaking practices and to incorporate strategic elements. Should independent donors genuinely desire to see significant change in the world through their engagement on identified issues, foundations needs to adjust their current grantmaking processes.

The presence and engagement of independent donors is seen to “create real results” (Crutchfield *et al*; 2011) as they are able to leverage the power of various sectors of society, which NGOs may not be able to do because of the power dynamics associated with being in a donor position and having access to a large amount of funds. It is commonly thought that donors can and should be actively involved in changing the world. This thinking has taken root over the last decade in philanthropic circles, as there has been an evident shift in the operating and grantmaking of many donor foundations from passive grantmaker to proactive problem solver (Crutchfield *et al*; 2011). Because of the move by foundations to become actively involved in the areas which they have identified, independent donors are increasingly being seen as catalytic philanthropists who have more to offer other than just their funding. To build on the overview that was provided, and

described by Crutchfield *et al* (2011), catalytic philanthropy, is the extension of the donor's contribution, beyond just their money, towards solving complex social issues. Donors can act as catalysts by using the power they hold in society to influence decisions and thinking on particular issues or by utilising the strengths and diversity of their networks, and the political astuteness of their leadership. The ability to act as catalysts is enabled by the independence of a foundation's resources, which allows for relationships to be established across political, economic and geographic lines. Anheier and Leat (2007) note that because of foundations autonomy it is able to converse with a cross-sector of society, as they are not dependent on anyone.

2.4.3 Philanthrocapitalism

The emergence of a new form of giving by individual donors has created much debate and interest from critics, economists and scholars of philanthropy. With the likes of, *inter alia*, Bill and Melinda Gates, and that of the Gates Foundation, Pierre Omidyar, and Bill Clinton through the Clinton Global Initiative entering into the philanthropic space in the early 2000s, existing practices of philanthropy started to include market and business principles. In 2006, an *Economist* article written by Matthew Bishop termed the phrase 'philanthrocapitalism'. This describes the practice of giving that was beginning to take the interest of many billionaires, and have an impact on a global scale in sectors such as health, agriculture and micro-lending (McGoey; 2012:187).

As with many terms in the social sciences there are a variety of understandings and definitions for the term philanthrocapitalism (Edwards; 2008). By reviewing the different definitions one is able to create a clearer understanding of the term, which will allow for better discussions on the topic. The concept itself straddles the for-profit and not-for-profit area of giving and incorporates practices of the business world. Bishop has provided two definitions for philanthrocapitalism one from a micro level and the other from a macro one. Primarily, at the micro level, philanthrocapitalism is a new way of doing philanthropy, which “mirrors the way in which business is done in the for-profit capitalist world” (Philanthrocapitalism.net; 2014). Secondly, philanthrocapitalism describes how the products of capitalism in the form of vast amounts of wealth belonging to a few individuals, can be used toward bettering society. Philanthrocapitalism relies on the perceived innovativeness of capitalism to benefit everyone; and the notion that current day beneficiaries of capitalism value 'giving back' and see this as integral to being wealthy. Edwards (2008) adds to this definition by identifying three features, which he sees as the heart of philanthrocapitalism. Central to this definition is that large sums of money are committed to giving

by individuals who made their wealth in the information technology or finance sectors during the years 1999 and 2000. The methodology used for this type of philanthropy draws on business model practices and sees the use of these methods as superior, to those used by NGOs, in reviewing and solving social problems. Finally, a defining feature for Edwards is the claim by philanthrocapitalists that the adoption of business methods and governance in the NGO sector will result in a transformed society.

Bishop, the originator of the phrase philanthrocapitalism, has noted that the involvement of rich people in philanthropy has increased and that “philanthrocapitalism has grown hand-in-hand with the rise in the number of very rich people on the planet” (Bishop and Green, 2009:5). Philanthrocapitalism is about trends in philanthropy, which sees the new entrants into this arena bringing competition, innovation and new ideas to global social problems that they identify. It is also about the realisation of rich people that successful capitalism is more than just increased profits. Bill Clinton, who is a major proponent of philanthrocapitalism, has emphasised the importance placed on rich people to use their wealth to advance the public good. He has gone as far as creating the Clinton Global Initiative (CGI) that has become the centre of 'philanthropy week' and is the new event to attend if one is a world leader, wealthy business person, philanthropist, social entrepreneur or policy maker. The meeting, referred to as the 'philanthropy Oscars' by the *Economist* (21 September 2006), takes place annually during the opening of the United Nations General Assembly in New York. The CGI brings together a number of influential people with the aim of solving the world's problems in creative and innovative ways, backed by the money of many 'investors' present at the meeting. Those in attendance are encouraged to make bold philanthropic commitments, and to act upon these. The CGI is also a space to honour successful philanthropists from the previous year. This meeting is seen as the laboratory, in which philanthrocapitalism can be tested (Bishop and Green; 2009:viii). In addition to seeking better ways to work with NGOs in addressing global social problems, there is an emphasis placed on harnessing the profit motive to achieve social good.

Moreover, the application of business methods to philanthropy by philanthrocapitalists has resulted in the emergence of a new language within the sector. The appearance and use of concepts such as 'impact orientated', 'market conscious', and 'maximising the leverage of donor funds' have become common place in most independent donor language, and have filtered through to NGOs.

2.5 Philanthropic funds in South Africa

The funding that foundations provide can vary in the amount given, the duration of the grant period, and how the funds can be used. “Funding is not only needed for fact-finding missions and producing reports, but also for paying staff salaries, rent and purchasing office supplies... it is easier for NGOs to obtain funding for specific projects than it is for institutional support” (Ovsiovitch; 1998:244). The value of the funding to the beneficiary depends on the type of funder and the financial health of the grantee, which is often determined by the issue that it is addressing and how many donors are actively funding in that area. Reviewing the annual reports of organisations, there seems to be a relationship between the amount of the funding available for a particular area and the dependency that grantees develop with funders. The reliance by NGOs on donor funding is evident in much of the literature available and reflected in the annual reports of NGOs. This causes concern around the accountability of organisations, and the “susceptibility to outside influence” (Ovsiovitch; 1998:344). Ewing and Guliwe (2008) emphasise that where there is international donor funds dependency, there “will be a risk of it being 'donor-driven' and or/ not being sustainable”. Although there is no clear evidence that donors do in fact determine and set the agenda of organisations, it is likely that the dependent donor relationship between funder and grantee can allow for agendas to be influenced, “NGOs are increasingly challenged by the donor dependence and shifts in donor policies” (Moyo; 2001:101).

It would be quite an undertaking to ensure that foundations and independent funders do not misuse the power that they possess due to their wealth and ability to grant funds, as there is no global body or set of guidelines providing the parameters of funding. Independent funds and foundations are accountable only to their mission and strategy, as well as the founding philosophy of the foundation. Private donors are not bound to any code for giving, other than legal tax guides if the donor is based in the US (Fleishman; 2008 and Berman; 1983). Apart from the occasional information sharing with other foundations, private donors are likely to pursue their own agenda, which is often at the expense of the agenda of the grantee organisations. In recent years there have been donor circles created globally, locally and in the region for private donors to meet and share funding strategies. Synergos² established the Global Philanthropist Circle (GPC) in 2001 with the aim to “help its members develop more strategic, effective, and sustainable practices that

² Synergos is an international organisation that promotes the approach of collaboration amongst civil society, business, government and marginalised groups to address and help solve complex problems; such as poverty and inequality.

result in more powerful impacts for their philanthropic work” (www.synergos.org). Membership to the GPC is by invitation only, which creates exclusivity for the network, but also allows for members to feel free to exchange information about their financial giving and strategies. The establishment of a South African donor network, very similar to the GPC, was initiated by Inyathelo-The South African Institute for Advancement (Inyathelo)³ in 2010. This was as a result of a conference that was held by Inyathelo with prominent South African based philanthropists. The Private Philanthropy Circle (PPC) is an independent forum of individual philanthropists, local trusts and foundations. Their listed key objectives are to “explore the practice of good grant making and develop mechanisms to enhance the practice in the local context, as well as to produce and disseminate knowledge about South African private grant making to the general public in order to encourage good practice...” (www.philanthropy.org.za). The PPC is a paid for membership based forum, the subscription fee allows for quarterly seminars on pertinent issues related to grant making, and replicates the exclusivity of the Global Philanthropists Circle. Even though the PPC and GPC do not prescribe a code for grant making, the information sharing and internal reflection by global and local philanthropists adds value to the philanthropic environment and could potentially have a positive impact for grantees of the network members and civil society as a whole. The benefit of funding circles to NGOs is that of collaborative and coordinated funding, which would not place a burden on the recipient organisation if it is managed properly. The funding could be facilitated and directed to the NGO in the form of basket funding. Basket funding is a method of funding, where a number of foundations provide funds to a certain organisation, on a particular issue, in a collaborative manner. These funds are directed to a single foundation for their management and disbursement to the organisation. The organisation is then required to report only to the donor who is managing the basket fund, rather than having many reporting requirements, which can be conflicting and time consuming for the grantee.

Even though philanthropist circles and forums are important to further philanthropic practices, it does not create an open platform for exchange between donors and grantees, and could potentially perpetuate the power dynamics between funders and NGOs. Without large-scale feedback mechanisms, through which NGOs can contribute to the development of foundation funding strategies, independent donors can set their own priorities, which may be out of sync with

³ Inyathelo is a South African institute with a focus on advancement. By strengthening the ability and capacity of organisations to mobilise support and resources to develop and grow financial sustainability; Inyathelo helps to build a sustainable and strong civil society and democracy in South Africa.

what is needed. Opening up meaningful channels of communication will enable certain issues that require funding to be raised, and could move towards rectifying the current status quo where “NGOs are jumping from one particular issue to the next ... because that is where the money happens to be at that particular time” (Moyo; 2001:105).

2.6 Analysis and Critique

The extent to which donor funding impacts the agendas of NGOs and how these organisations are able to implement their strategies is determined by the method used by donors to select and award grants and then disburse these funds. The way in which funding is dispersed by international donors varies according to each donor and the preferred methods of their board and founder. However, central to the decision making is the alignment of the donor’s agenda and that of the grantee. Frumkin (2011) elaborates that achieving such a fit between donors and grantee organisations is critical in the move towards more 'effective, accountable and legitimate exercise of philanthropic power'.

The nature of strategic philanthropy, as has been described, places the responsibility and determination of interest areas with the foundation. The direction in which a foundation decides to focus will impact the areas in which funding is made and potentially how grant making is implemented as described by Fleishman (2007:62) “the most important benefit of thinking strategically is that it significantly increases the impact of a foundation's spending”. The agenda of the foundations start to take precedent over those of the grantees, as any funding results will be in line with the adopted strategy of the foundation, thus ensuring measurable outcomes and an impact in the desired strategy area. Grace and Wendroff (2001) reaffirm this move by foundations, noting that the shift from a NGO driven focus to donor asserted agendas is based on two factors. Firstly, that funders want to see a more immediate result in their funding and secondly, they want to be more active in their giving and become more involved in how their funds are spent, and on which issues. The practical application of donor predetermined agendas often results in NGOs and grantees of foundations reviewing their own organisational direction and associated agendas, and if necessary adjusting these to align with the funding requirements and strategy of the donor. The solicitation of proposals for the funding review process has become more common place as foundations use the selection process as a way to ensure that there is synergy between the potential recipient’s agenda and their own. This change in the initial phases of grantmaking has had an impact on how organisations position themselves and the work that they are doing in order

to attract funding.

This has been reiterated by the experiences that were shared in the interviews with some NGOs in the sexual and reproductive health sector of South Africa. A number of interviews were conducted as part of the research on the influence of independent donors on the agendas of organisations. In one of the interviews it was mentioned that although the core work of the organisation was not compromised when their main donor recently went through a strategy review and shift in their funding focus, there was a need to redefine and formulate their activities in order for them to be aligned to the main areas of focus in the foundation's new strategy. For this particular organisation it meant constructing their work on sexual and reproductive health within a HIV/Aids paradigm, in order for them to be eligible for continued financial support.

2.6.1 Critique of strategic philanthropy

In a debate held by the Hudson Institute in August 2012 on outcome-orientated philanthropy, Stanley Katz questioned whether the discourse of philanthropy has been hampered by the lack of criticism. The following section aims to highlight some of the criticisms that strategic and outcome-orientated philanthropy has gathered. Although it is necessary for philanthropists to review the way in which they provide funds through grantmaking and rethink their strategic interventions and focus areas, the process used by foundations to determine their agenda often involves a top-down approach to decision-making. The result of this is a strategy that is removed from the reality experienced by the people and communities that the independent donors are aiming to assist. Anheier and Leat (2007) note that one of the most frequent criticisms of the current approach of foundations is that they are out of touch with reality and implement an elitist view of social issues. There seems to be little thought given by foundations to how changes in their strategy will impact on organisations and sectors that have been reliant on foundation funding to achieve their identified focus areas. In order for the strategies of foundations, and their subsequent grantmaking to have a lasting and real impact, the feedback and voices of the beneficiaries need to be heard and acted upon.

Reviewing the annual reports and mission statements of the leading foundations active in funding in South Africa provides evidence that leads one to assume that within philanthropic circles there are certain issues that capture the attention of donors, and could result in funding conformity by foundations and the trending of particular topics. The impact of 'trend' funding can be to the

advantage or, more often, the disadvantage of minority groups, and organisations that directly serve women (Anheier and Leat; 2007). The impact of trending topics and the funding that follows these decisions by donors is evident in organisations dealing with sexual health and rights and how related issues are prioritised. In the interviews that I conducted, it became apparent that most of the organisations had experienced a decrease in funding due to the shift in focus areas by their donor. The funds that had been available for the SRH issues they were focusing on, such as abortion rights, were no longer in vogue. A gradual change of the focus within the SRH sector has taken place. There has been a shift from a specific women's reproductive health focus to one of women as mothers within an HIV/Aids paradigm and specifically the prevention of mother to child transmission of HIV; or towards the role of men in gender equality and SRH.

In addition to the thematic areas and issues that foundations decide to fund and focus on in their strategies, the process of grantmaking by foundations also places limitations on NGOs and limits their ability to independently identify their organisational agenda. The way in which traditional philanthropy manages their grantmaking process is through the receipt of project proposals. This process follows a linear exchange between the foundation and funding recipient, and is often characterised by the receipt of a funding proposal, an in-depth review process which will follow the relevant steps specific to the foundation, and should the proposal be successful the foundation will grant a specified amount of funds, the process is then culminated with a final progress report to the foundation on the implementation of the project and use of grant funds by the recipient organisation (Crutchfield *et al*; 2011). In this model there is a reliance on grantees to identify and implement an accepted and tested approach to the issue which will have an intended pre-determined result. In this model the amount of funds to be granted is also determined by the donor, and not necessarily driven by the needs of the organisation. However, with the change in foundation strategy's many donors are resorting to soliciting funding proposals from identified organisations rather than relying on an open call for funding proposals, which has been used in the past. The solicitation, although effective in responding to and implementing the foundation's strategy could be seen as biased in its selection of organisations to submit proposals that are aligned with their focus areas.

While the solicitation of proposals affects NGOs wanting to access funding and limits the grantee pool of a donor, it is usually the grantmaking process that places pressure on the recipient organisations. Once an organisation's project proposal has proceeded through the review round

held by the foundation there may likely be constraints placed on the organisations sustainability and ability to implement its agenda by the determination of the size of the funding to be granted to the organisation and what the funding can be used towards. The decision for the grant amount is made by the foundation, and although the amount needed is indicated in the project proposal by the organisation, this may not affect the decision about the allocation of funds per project. The size of the grant funding awarded by foundations has been a constant criticism of the grantmaking process by a number of scholars. The way in which funding is restrictive varies, it can either be in the form of a limiting time-frame in which the funds need to be used, or the conditional terms placed on the use of the funds. Most donors will provide funding in one year cycles, which places limitations on the depth and reach of the project or programme that an organisation wants to implement. This has an impact on the agenda of organisations as should long-term funding not be secured then areas of work that require longer implementation periods cannot be established by the organisation. This pertains to any advocacy work that needs to be done around an issue which may require the relevant legislation to be changed or new laws or regulations to be introduced. For SRH organisations where fundamental changes need to be made within countries there is a significant emphasis on advocacy. Skloot in Anheier and Leat (2007:23) phrased the action of short term grants by donors as repeatedly dropping in “small change, hoping for a big pay-off... we put large dreams on small coins”.

In addition to the practice of short term-funding by foundations there is widespread preference by mainstream donors to provide project based funding instead of granting funds towards the core or operational costs of an organisation. Being able to only access project based funding places organisations in a situation where they find themselves reliant on project funds. This results in the organisation taking on additional projects that may not be totally related to their organisational mission and agenda, in order to use funds across the organisation for its running costs. However, this adds to the workload of the organisation and can become unmanageable and non-sustainable. The constant search to secure operational costs impacts the agenda implementation of organisations and their ability to engage in advocacy based activities which may not be project related. For SRH programmes, as mentioned above, there is a need to change “deeply embedded social values” (Klugman; 2004:20) which requires core funding. The reluctance by donors to provide core funding has been noted with concern. Klugman emphasised that SRH organisations will have to “frequently only fundraise for a year at a time and often for very specific projects” (2004:20).

Apart from the impact that a foundation's strategy and its implementation can have on recipient organisations and particular sectors, there are also disadvantages faced by the foundation itself. A well-defined strategy can also be restrictive to the foundation, as it doesn't allow for any opportunistic funding, or responses by the foundation to issues that arise, which are out of their focus area. Fleishman also emphasises that a too rigid approach to grantmaking can be detrimental to learning "the narrower and more rigid the strategic focus, then, the less able the foundation will be to respond to unanticipated targets of opportunity" (Fleishman; 2007:64). "The main problem with strategy is that it is too often misapplied" Tony Proscio in (Fleishman; 2007:58).

2.6.2 Critique of philanthrocapitalism

The introduction of the term philanthrocapitalism has caused much controversy in the sector and has resulted in many topical debates. There have been numerous articles, online discussions and analyses of the hybrid method of giving which incorporates aspects of venture capital and business management. Michael Edwards has been one of the main critics of philanthrocapitalism, providing his commentary and response to the term in *Just another Emperor? The myths and realities of Philanthrocapitalism*. The flaws to this method of philanthropy have been raised by various academics and practitioners and focus mainly on power and the use of business based solutions in social settings.

The first set of objections to philanthrocapitalism is the conflation of power and money residing in a group of individuals that form part of a super elite. While many critics of philanthrocapitalism may not be against the use of funds for social good, the concern comes about when these independent donors have the ability to influence policy making and agenda-setting. In the Ramdas (2001) article, the power that these elites have in determining and responding to social issues is questioned. The global nature of issues that philanthrocapitalists identify as important for them to become involved in often require large sums of money to be addressed, such as the provision of essential medicines and access to clean water. However, these issues cannot always be remedied with the same response in each setting, which is often suggested in a top-down manner. Local responses and solutions need and should be sought to address the problems that they are faced with. Philanthrocapitalists often believe that their money, regardless of how it is spent, can have an impact on and transform society. This is reinforced by how Bishop and Green (2009) refer to philanthrocapitalists, as hyper agents with the capacity and ability to do essential things better

than others. In addition, philanthrocapitalists see the world as full of big problems that they “and perhaps only they can and must put right” (Bishop and Green; 2009:3).

The use and applicability of business principles for social issues does not always have the same effect as when implemented in the economy. The scalability of projects, while essential in business to ensure profits, cannot always be successfully applied and implemented as the solutions for social issues. Some NGOs find that in order to ensure financial bottom lines, there are often compromises made which can result in 'mission-drift' by the organisation or increased failure rates in their project implementation. This is exacerbated by the time-frame needed for long term results to be seen in areas such as public health, agriculture and education. The business methods used to “evaluate success focus on the short-term material gains, not long-term structural shifts in values, relationships and power” (Edwards; 2008).

The extent of the benefits and disadvantages of philanthrocapitalism on NGOs and the impact of this form of giving on the sectors that are being supported by large foundations and philanthrocapitalists are still to be determined. This is due to the dearth of research into the relationship between philanthrocapitalists and recipient organisations. As the field of philanthrocapitalism is relatively young, the amount of information available or interest in the impact has not been collected.

In determining the relationship between donors and recipients and the impact on the development agenda, Moyo mentions in his paper on *International foundations and agenda setting of South African NGO's* (2001) that the evidence he has gathered “seems to suggest that the development agenda is promoted by a variety of role players, chief of whom are the third sector, donors and government. However, we also note that the relationship that develops between donors and recipients is complex.” (Moyo; 2001: 93) He goes on to further explain that NGO's often tailor their programming and activities to fit with the foundation's agendas in order to qualify for funding. However, it is mentioned that NGO's can capitalise on the relationship with donors to get them to support programmes that are “most important and relevant to their constituencies” (Moyo; 2001: 94).

This chapter has demonstrated the historical funding to South Africa and the changes that have taken place in the way in which international funders / foundations are operating. The following chapter explores how the sexual and reproductive health sector in South Africa has been affected by the operational decisions of foundations.

CHAPTER THREE

FUNDING THE SEXUAL AND REPRODUCTIVE HEALTH SECTOR IN SOUTH AFRICA

3.1 Overview

The interest in women's bodies and in the ability to control them, for a variety of reasons, has been a concern of leaders and countries worldwide over the ages. The interest in sexual and reproductive health rights is derived from the population debates that were initiated in the 1800s by Thomas Malthus. The focus of these debates was on population growth and how the population, through family planning, could be controlled to alleviate the pressure that a large population places on the economy and environment. Some of Malthus' thinking and belief that "moral restraint" may be exercised, even in marriage, is evident in current day politics around population control (Meyer and Seims; 2010). In Malthus' writing on the subject, and in the discourse of the day, there was no concern for women's health and well-being. It was not until the 1960s that sexual and reproductive health was viewed within a population control framework, albeit that the Universal Declaration of Human Rights, adopted in 1948, declared the need to promote access to adequate healthcare for all. The concept of sexual health is a newer one to be added to the reproductive health and human rights discourse, and refers to the capacity to enjoy and control sexual and reproductive behaviour. It also refers to the freedom from disease and disorder that can interfere with sexual and reproductive health (Edwards and Coleman; 2004:191). The inclusion of sexual health into the language of reproductive health and human rights expands women's rights to exercise control over their bodies beyond just a reproductive function.

The development and trajectory of sexual and reproductive health rights (SRH) is intertwined with that of women's rights. SRH has experienced similar challenges from getting the respective rights formally acknowledged and discussed on an international level, securing and maintaining funding for women and SRH issues, other than those related to the transmission of HIV/Aids. It is clear that it is not until women's rights are taken seriously and valued by the state and society, and have political and economical importance, that SRH rights will be able to be fully implemented and achieved in countries (Davies, 2010).

This chapter provides a brief history of the global sexual and reproductive health rights sector. It reviews some of the conventions and major political decisions that have had an impact on the human rights sector with regards to recognising SRH rights. It also assesses how the SRH sector is

able attract the necessary funds to implement successful policies and practices. The previous chapter focused on the types of funding that is available, and from where South African NGOs received their funding.

3.2 International development of the Sexual and Reproductive Health Movement

It is only since the late 1970s through various international conventions and conferences that women's rights, as human rights, were affirmed. In the 1990s a myriad of conventions were established that have a specific focus on women's rights. These are: the World Conference on Human Rights (1993); the International Conference on Population and Development (ICPD) in 1994; the 1995 Fourth World Conference on Women and in early 2000 the United Nations Millennium Development Goals. With the exception of the ICPD, these conventions and declarations don't include incentives for the political will of states to prioritise SRH and provide the necessary funding for implementation of these rights to be secured in national budgets.

The first of the conventions to focus on women's rights was the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), adopted in 1979. Although there had been a number of instruments adopted by the United Nations in the period from 1949 to 1972 that focused on women's rights, the approach to women's rights as human rights was fragmented and piecemeal (UN Women; 2010). In terms of its stance on sexual and reproductive health rights, CEDAW "demanded for women's right to health and was seen as a breakthrough" (Davies; 2010:394) as it openly looked at reproductive rights through a human rights lens. However, it is noted that although the Convention is quite specific on SRH issues, these rights are only focused on in one of the Convention's articles, and has a specific bias towards family planning.

The Fourth World Conference on Women (1995) and the United Nations Millennium Development Goals (2002) have contributed to and impacted on women's rights and sexual and reproductive health rights. Both these international documents, which were drawn up after the ICPD, include international goals to reduce poverty and national action plans for the advancement of gender equality and women's empowerment. The Fourth World Conference on Women, also referred to as the Beijing Platform for Action (BPA), aimed to "keep issues of concern to women high on the international agenda" (UN Women; 1995). A platform for action was adopted, which recommended ways in which the identified challenges could be overcome. The Millennium Development Goals (MDGs) are probably one of the most well-known and publicised international

campaigns against poverty, disease and hunger. According to Ahlberg and Kulane (2011) the MDGs gave the issue of reproductive health a boost, as four of the eight goals have a direct impact on sexual and reproductive health. They further emphasised that if states address poverty, a better environment for the realisation of sexual and reproductive health rights will be achieved. However, others have seen the MDGs as a watered-down and narrow approach to sexual and reproductive health due to its exclusive focus on maternal health. It is thought that the decision to focus only on maternal health in the MDGs was because of the cultural resistance to the SRH agenda that was experienced during the ICPD.

3.2.1 International Conference on Population and Development

The International Conference on Population and Development (ICPD) has to date been the only international convention that solely focuses on sexual and reproductive health, under the guise of population and development. It was the first “international policy document to define reproductive health” (Knudsen; 2003:6). The ICPD was seen as a landmark meeting on various fronts, as it was able to bring together 179 governments in Cairo in 1994 and got them to agree to a “comprehensive Programme of Action to ensure universal access to reproductive health, uphold fundamental human rights, alleviate poverty, secure gender equality and protect the environment”(Correa, Germain, and Petchesky; 2005:109). It is notable that the Platform of Action focuses on women's ability to control and determine their own fertility and sexuality, rather than frame sexual and reproductive health within the population growth / control viewpoint.

The ICPD focused on the sexual rights of women and men, and went further to indicate the resources that were needed to implement the Programme of Action and realise SRH. The ICPD proactively suggested the financial model states should use to ensure that the Programme of Action was implemented. The estimated costing for the implementation of the Programme was around \$22 million (Davies; 2010:395). It was suggested that this should be funded by national governments contributing two thirds of their health budget to meeting the investment in women's health, and that donor states should provide the remaining third of the funds needed.

Although the conference was the first in getting 179 governments to agree to a human rights based approach to reproductive health, the reality of implementing the Programme of Action was hampered by the lack of political will, and non-adherence to the suggested financial support by nation and donor states. “The roll out of the ICPD Programme has been hampered not only by

developing countries' financial inability not to meet their obligations but also by developed states not meeting theirs..."(Davies; 2010:395). In addition to the above challenges in implementing the ICPD, the document itself is not legally binding, meaning that there is no obligation on the states to domesticate or implement the points of agreement in the Programme of Action. The combination of meagre political support to SRH and scanty commitments is a general theme of international conventions on women's rights and will plague the achievement of SRH.

A part of the monitoring process for the achievement of the terms of international conventions requires countries to submit periodic reports to oversight bodies, such as the United Nations Human Rights Council. As international declarations are not legally binding for states there is no motive for the state to implement the respective condition. Likewise for SRH rights to be recognised and implemented countries need to include them as priority areas in their domestic policies. The inclusion of SRH rights into these documents will influence the amount of funding available in the national budget for these rights. In addition there should be some form of legal accountability for the country, associated with signing or ratifying a convention. Furthermore, international and regional protocols are developed in consultation with other states and often with large internationally recognised NGOs. This can result in the compromising of articles and priorities as well as a top down approach to human rights instruments, which is not a sustainable approach to advancing the rights of women.

Moreover, SRH issues are "politically and culturally controversial" (Davies; 2010:393), and because of these moral and political concerns the advancement of this area of health rights has been stymied. The advancement of SRH is further impaired by the "lack of consistent funding to improve women's access to health care ... (and) further hinders efforts to satisfy women's health needs." (Davies; 2010:393).

3.3 Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa- 'Maputo Protocol'

The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa took eight years to finalise as African states and the Commission debated the issues and articles that were to be included in the Protocol. A number of the issues were culturally controversial, such as the progressive inclusion of abortion rights. The Protocol was finalised in 2003 and adopted in Maputo, Mozambique (Ebeku; 2006), and seeks to improve the status of

African women. The Protocol is a legal instrument that promotes the ideals of gender equality and non-discrimination against women (Kuhnert; 2012). There are four broad areas in which the Protocol recognises the rights of women: the right to peace and security; political participation and equal legal protection; socio-economic rights; and health and reproductive rights. The Protocol was developed in response to the international and continental human rights instruments that were established in the 1980s and 1990s. It was felt that these declarations and protocols did not adequately address the challenges that African women were experiencing, “these instruments have failed to achieve their goals, as the status of African women remained largely the same over the years...” (Ebeku; 2006:24). The Protocol would add cultural and geographic relevance to issues regarding women in Africa, while being complementary to the existing texts on human rights.

Gawaya and Mukusa (2005) acclaimed the African Women's Protocol as a momentous document because it reinforced the status of women's rights and took an explicit legal stance on women's sexual and reproductive rights and access to medical abortion (Kuhnert; 2012). The Protocol makes bold statements and calls for the end to many traditional practices that are harmful to women such as female genital mutilation (Stefiszyn; 2005). However, one of the noted criticisms of the Protocol is that it allows for countries to list reservations when signing and ratifying the Protocol. This means that countries are able to put in place reservations on the articles that they feel are contradictory to their local traditions, culture or existing legislation. This allows them to ignore the recommendations in that particular section of the Protocol because “(...) the problem with the reservations is that those provisions are not binding on the states that have made them...” (Ebeku; 2006:33). The implementation of the Protocol is dependent on signatory countries actioning and being accountable on all the articles listed. In addition, persistent patriarchy and the lack of political will remain a challenge to the effective implementation of the Protocol. This in turn will stymie the attainment of sexual and reproductive health rights for many women.

Even before it was adopted the Protocol began to influence “developments in the domestic arena of African countries on women-related issues from 1995 when it was still in draft and under negotiation” (Ebeku; 2006:26). South African civil society used the continental discussions that were taking place on abortion rights, and sexual and reproductive health rights in general, as part of their advocacy on the Choice on Termination of Pregnancy Act (1996).

The power and influence of organised women's groups was evident in the international arena and at some of the major conferences on issues pertaining to women's rights since the early 1990s. It was even noted by the United Nations that women had an impact on national policies and international legislation.

3.4 Sexual and Reproductive Health and Rights in South Africa

Prior to 1994, there were limited policies and legislation on reproductive health. The actual service provision by the state for women's health consisted mainly of “maternal and child health services, with an emphasis on contraceptive services” (Cooper *et al*; 2004:71). This view on reproductive health was in line with the international trends for women's health care, at that time. The provision of services for maternal and child health was aligned to the population control and development model that governed how reproductive health was viewed and implemented until the mid-1990s. In addition to the population control paradigm, the South African contraceptive policy had racial undertones because of the apartheid state's desire to control the population growth of black people (Cooper *et al*; 2004:71). In 1990 the African National Congress (ANC) established a health commission that brought together anti-apartheid health activists and academics to think about and devise a health plan and systems. These plans and systems would provide universal healthcare through a single health service, other than the racially segregated health provision that was in place at the time. During this era gender and women's health NGOs actively lobbied “for the creation (of) locally appropriate reproductive health policies that were in tune with the emerging international emphasis on human rights and gender equality” (Cooper *et al*; 2004:71).

Since 1994, South Africa has been one of the countries to sign and ratify the various international conventions and declarations pertaining to SRH. This often comes with a set of binding obligations to domesticate the commitments made. However, the eagerness to be party to these international treaties and the domestication that follows doesn't always equate to implementation. This highlights the need for an active, equipped civil society that is able to hold government accountable to the commitments made. The text box below provides an overview of the major legislative and policy changes that have influenced reproductive health in South Africa since 1994.

Table 1: Influential national legislative and policy for reproductive health in South Africa

(Cooper *et al*; 2004:72)

1994

Partnerships established to plan, process and review HIV/Aids policy (Dept. of Health)

Free public health services for pregnant women and children under six years

1995

The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ratified

1996

Choice of Termination of Pregnancy Act (This act provides a legal framework for the provision of abortion services)

1998

New Population Policy (delinked from population growth thinking)

South African National AIDS Council formed

Domestic Violence Act

2000

National guidelines for Cervical Screening Programme launched

2002

Prevention of Mother-to-Child (HIV) Transmission programme to be rolled out country-wide

National Contraception Policy Guidelines launched

HIV post-exposure prophylaxis to rape survivors, in public sector facilities, approved

2004

Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa ratified

In order to honour its commitments made on a regional and international level on sexual and reproductive health the South African Department of Health recently released a comprehensive document in this regard. The *Sexual and Reproductive Health and Rights: Fulfilling our Commitments 2011–2021 and beyond* is a cross-cutting framework that guides the actions of the Department of Health to work collaboratively with other government departments, the private sector, civil society organisations and international development agencies. The aim is to “promote a society in which sexual and reproductive rights are recognised and valued and to ensure equitable and accessible sexual and reproductive health services to all South Africans” (Dept. of Health; 2011:iii). By implementing this framework the Department of Health will integrate the “existing laws, policies and guidelines affecting sexual and reproductive health and rights

services”(*ibid*) in order to provide an efficient and rights based service for sexual and reproductive health. It is interesting to note that the Department of Health developed this document with the financial assistance from the USAID Health Policy Initiative. Although the document mentions that this multilateral organisation had no editorial influence in the drafting of the document, the reproductive policy of South Africa is in line with their global mandate. The necessary provision of funds for the development of this document indicates that the South African government requires political will and financial means to successfully implement the intentions set out in this document.

To ensure that government implements this framework, there needs to be an organised and representative SRH sector to keep the Department accountable to their commitments and policies. However, the failing SRH sector leaves much to be desired, with regards to diversity and its strength, and is currently not able to provide the necessary rigour required to hold government to account on their commitments. The lack of funding to SRH organisations and their struggle to manage the related running costs worsens the situation. In a research initiated in 2010, Mokoetle and Klugman noted that “there's a tremendous need for strategic civil society voices”. Since 1995 until 2004 the key organisations that had “fostered debate, enabled collaboration and built the SRHR movement in the country have largely collapsed” (Mokoetle and Klugman; 2010: 17). During the interviews that Mokoetle and Klugman conducted with previous employees of the organisations that had closed, two main factors emerged as to why the organisations were not sustainable. These were that organisations lacked leadership and managerial skills and / or that they did not have sufficient funding to continue implementing projects and more importantly to cover the core running costs of the organisation. These experiences confirm the anecdotal information that was gathered during informal interviews that I conducted with a few activists and directors of South African women's organisations for this thesis.

3.5 Funding to the Sexual and Reproductive Health sector

The many international and regional documents on sexual and reproductive health place the issue and provision of services firmly within the remit of government. However, Klugman (2004) points out that in an ideal world, government would be funding SRH. Although in reality they are seldom able to fulfil this expectation “adequately, if at all, so NGO's frequently fill this gap”. This places the burden of identifying and accessing funds on civil society organisations, which is a formidable task considering the issue for which funding is being sought. With the lack of state funds or willingness

to implement SRH, NGOs then become reliant on bilateral and independent donor funds for project implementation. This creates an environment for donor fund dependency, which develops the possibility for donors to set the agenda and can result in recipient organisations becoming beholden to the agendas of these donors.

“More than any other aspect of donor funding, sexual and reproductive health and rights is the one in which selective funding is most exercised” (Ahlberg and Kulane; 2011:321). This sentiment has been reiterated by most scholars (Klugman; Cooper *et al*; Davies) in the literature that is available on the subject of funding to sexual and reproductive health. Since the ICPD in 1994, where a funding model was set for the implementation of SRH, there has been a consistent decline in the funding available to meet those financial targets (Senanayake and Hamm; 2004:70). Cultural and religious fundamentalism seems to influence the reservation to fund or the lack of funding available to sexual and reproductive health (Kuhnert; 2012). The moral-based approach to funding for SRH has placed the sector under strain. The “sociocultural opposition within donor and recipient programs to sexual and reproductive health programs that promote the freedom and empowerment of women” (Davies; 2010:396) perpetuate the lack of funding to implement the various conventions and declarations. Even though states publicly agreed to these instruments at an international level, they are not adhered to domestically.

Subsequent to the ICPD there was a “notable backlash to the sexual and reproductive health discourse and Programme of Action” (Kuhnert; 2012) in the form of the Global Gag Rule, which was reinstated by President George W. Bush of the United States of America. The Global Gag Rule was initially developed by the Reagan Administration in 1984, and “prohibits any NGO overseas from receiving US government aid if it provides or makes referrals for abortion, actively promotes abortion or lobbies for reform of its countries abortion laws” (Nair, Sexton and Kirbat; 2006:182). The contributing factors to developing this policy, were not driven by scientific evidence or recipient needs, but rather it was based on the domestic political beliefs of the republican electorate (Senanayake and Hamm; 2004). The implication of the withdrawal of funds to SRH by the largest source of development funding, affected not only the practical implementation of SRH but also the ability to get SRH onto the agenda of governments and included into international discussions. For SRH not to fall victim to politics, religion and tradition, “politicians, religious leaders and bureaucrats have to decide that women's lives and rights are worthwhile and not challenging to authority” (Glasier and Gulmezoglu; 2004:1551) There were “...many donors (that)

responded to the Global Gag Rule by increasing their funding for sexual and reproductive health activities..." (Senanayake and Hamm; 2004:70), however there was still a gap of about \$3 billion that needed to be filled.

Amidst the funding shortfalls to SRH, the "success of the HIV/Aids campaign" (Davies; 2010:396) has been mentioned as a common reason for the diversion of funds. "Money for family planning and reproductive health once accounted for 70% of the expenditure on AIDS and population control" (Davies; 2010:396), however, the funding focus has since changed to the control and treatment of HIV/Aids and sexually transmitted diseases. In addition a trend emerged amongst multilateral agencies and donors to provide vertical funding that is a top down approach to the distribution of funds, for a particular issue. Most often the funds get directed through government or large NGOs. This is contrary to the sector wide collaborative approach to achieving SRH which the ICPD and various other conferences on SRH established and promoted. The re-emergence of this funding model is troubling and causes concerns to a number of scholars as vertical funding "neither build(s) public health and education systems nor address(es) the needs of people as whole human beings who come to health services..." (Klugman; 2004:15).

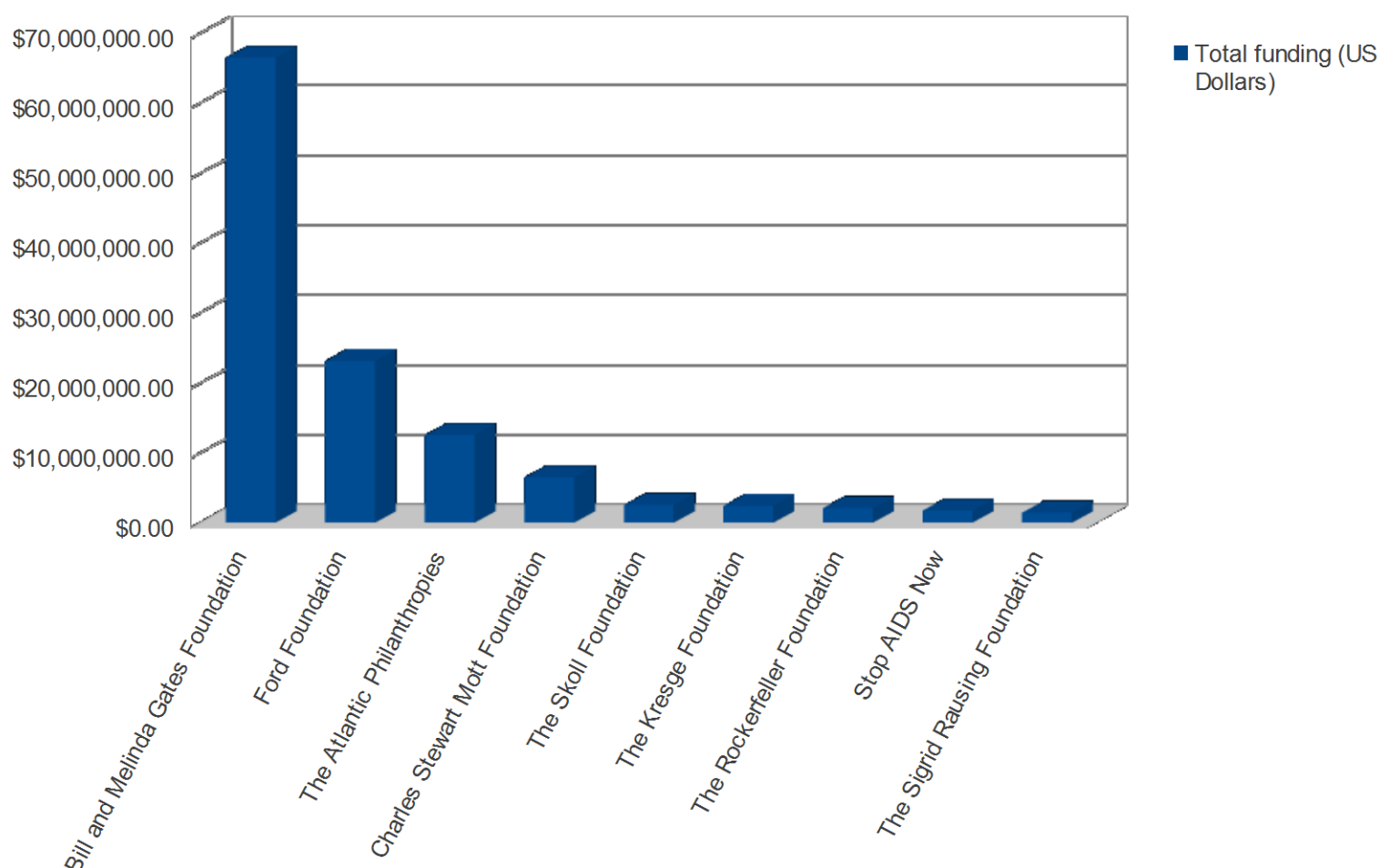
In addition to having to contend with funding model shifts from sector wide approaches to the return, by some, to vertical funding, NGOs also face the decision by donors in the field to shift their willingness to provide core funding (Klugman; 2004). Berer reiterates this in her article where she places emphasis on the importance of the "shifts in the global power dynamics and the policies of bilateral and private donors and lending institutions, resulting in the changes in the flow of money, money, money" (Berer; 2003:6). Private donors' commitments to funding sexual and reproductive health rights, has slowly and steadily declined. This impacts on the ability of organisations to function optimally, as has been the case in South Africa, where many organisations are "barely functional or have closed down" (Klugman; 2004:16).

The main donors in South African sexual and reproductive health sector from 1994 were the Ford Foundation, Rockefeller Foundation, CS Mott Foundation, and the Packard Foundation. To some extent these funders have remained the same for the sector. However, a notable addition to the sexual and reproductive health sector has been that of the Bill and Melinda Gates Foundation (Gates Foundation), which is by far the largest health funder globally. The Gates Foundation focus on sexual and reproductive health is mainly on maternal health and family planning with a strong

emphasis on HIV prevention, policy advocacy and contraception development. I will refer back to these foundations from time to time when examples need to be given on funding strategy implementation and influence on organisations agendas. The South African sexual and reproductive health sector from 1994 and its particular funding experience will be elaborated on further.

The graph below provides an indication of the independent donor funds that were coming into South Africa in the Health and Human Rights sectors from 2008 – 2013. The information for the graph was collated from *Philanthropy In/Sight* (<http://insight.foundationcenter.org/Help/FAQ.aspx>) *Philanthropy In/Sight* gets its data from the Foundation Centre's database of information on over 26,000 American foundations and grant-making charities that provide funds internationally, and close to 104,000 foundations that have a domestic focus. The data reflected in *Philanthropy In/Sight* is compiled from a number of sources such as grantmaker websites, annual reports, philanthropic press and the Internal Revenue Service information returns that United States based charities are required to file. The Foundation Centre continually monitors the sources of information and verifies the details before placing it in their database. The graph may not reflect all the independent donors that were active in South Africa during the time period, as *Philanthropy In/Sight* can only compile information on the data that they receive and collate.

**Figure1: Independent funding to the Human Rights and Health Sector in South Africa
2008-2013**



3.6 Experiences of South African NGOs

Although South Africa is classified as a middle income country, the fact that there is a high level of income inequality and access to services has qualified it for international aid and independent funding. The focus for grant making over the years covers the whole spectrum of human activity from poverty / emergency relief to human rights; environmental protection; health – in particular HIV/Aids; citizen rights; economic justice and democratic decentralisation. Information technology and business development is also included to name a few. There are prominent donors in each specific area, which vary from foundations, corporates and faith-based organisations, depending on the funding strategy of the donor.

In order to get a nuanced understanding of the sector and to find out about the experiences of some of the main civil society stakeholders, a few informal conversations with activists were

conducted. These were 'off the record' and it was agreed that no comments and inputs would be attributed to the individuals and organisations that were interviewed. There are resounding similarities in the information that organisations shared about their particular experiences, as well as their observations of the SRH sector, and the findings that are reflected in the discussion below.

In the 1990s when South Africa was transitioning towards democracy, civil society itself was also in a transition. With many activists making the shift to government positions, an opportunity presented itself for a strong and active civil society to influence legislation and policy making to challenge government and the existing laws at the time (Cooper *et al*; 2004). Civil society organisations concerned with SRH “played a major role in securing these legislative and policy changes” (*Ibid*;2004) and continued to place pressure on government to ensure that further changes were made to policy and implemented in service delivery. Since 2004, there has been a notable shift in the lobbying agenda by NGOs, from sexual and reproductive rights towards the area of HIV/Aids specifically. This shift in advocacy and programming focus also reflected the funding trends and priorities of international donors that started to move towards HIV/Aids responses.

If one looks at the full spectrum of issues included in sexual and reproductive health and uses this to review the current pool of NGOs active in South Africa, one can safely say that there are a number of organisations that have a SRH focus. However, the vast majority of these organisations have the reduction and prevention of HIV/Aids as their priority, and implement various programmes to this effect for a cross-section of beneficiaries (women, children and men). This is often determined by the funding that is available, as much of the funding to SRH is done within a HIV framework. This practice was reiterated by some of the organisation leaders that were interviewed for this thesis. They mentioned that the change in focus, and structure of their work to an HIV/Aids angle was often as a result of a shift in the donor's agenda. Redirecting funds for SRH issues, that are of a non-HIV nature, towards HIV/Aids programming is problematic. The funds are often used for the provision of anti-retroviral drugs, or awareness-raising and education around HIV/Aids and not towards health system reforms for SRH, which is where the change is required should the SRH policies be effectively implemented. When it comes to issues pertaining to women's sexual and reproductive health and rights such as: family planning, access to safe abortion services, forced sterilisation, and the prevention of diseases, the number of organisations working in the field becomes considerably smaller. In addition, if one was to inquire about the

skills of an organisation that conducts advocacy on women's sexual and reproductive health and rights, there would be even fewer to choose from.

The collapse of the SRH movement impacted a number of organisations, as noted by Mokoetle and Klugman in their 2010 research. In spite of this research institutions based at universities didn't seem to suffer too much from the leadership constraints, and the lack of funding, compared to many of the other SRH organisations that closed in the early to mid-2000s. A reason given for this could be that the units are managed by the universities and that the focus of the units are research only, without there being the organisational challenges that are experienced with “constituency-building, public outreach and advocacy” (Mokoetle and Klugman; 2010:17). With regards to accessing funds, research institutions may have found it easier to shift their focus from SRH to HIV, when “new sources of funding became available for HIV...” (*Ibid*; 2010). In the information that was shared during Mokoetle and Klugman's interviews, it seems as though the reason for the shift away from SRH was that “all the key policies appeared to have been 'won', despite still needing to be implemented and protected” (Mokoetle and Klugman; 2010:17).

As can be seen in this chapter there are various ways in which the actions and practices of independent donors impact the functioning and purpose of NGOs. This can range from how funds are identified and secured from donors, to what these funds can be used towards, and how it should be spent. In addition to the independent donor conditions and requirements placed on funds received, NGOs have had to content with the development of philanthrocapitalism to the 'giving' world. This form of giving has brought with it a new set of criteria and expectations for funding, influenced by the business model.

CHAPTER FOUR

CONCLUSION

4.1 Summary

This thesis aimed to provide an insight into the experience of NGOs in the sexual health and reproductive rights sector of South Africa with regards to receiving independent funding and their autonomy in agenda setting. It also set out to determine whether the statement 'he who pays the piper calls the tunes' (Moyo; 2001) is in fact true for the experience of the South African women's sector.

The provision of international donor funds, be they from other governments, multilateral agencies or independent donors, is useful for both developing countries and civil society organisations working in those environments. As has been acknowledged in this paper, aid to South Africa by international donors has been instrumental in advancing democratic values and human rights. Since 1994 and the establishment of a democratic South Africa, international sources of funding continues to be important and contribute towards the achievement of the democratic project of the country.

The analysis of philanthropic funding as opposed to overseas development assistance was based on the fact that there are few accountability structures for this type of giving, and that donor's preferences determine the funding agendas, which are implemented accordingly. The use of philanthropic funds in the promotion of human rights often allows NGOs more leeway in how they can engage with government in advocating for these rights. There seems to be no political gain for the independent donor, and often there are no strict conditions placed on the funding. This could be different if the funds came from a bilateral or multilateral partner. However, recipient organisations of independent donor funding claim they experience a different reality. Philanthropic funding may be problematic because wealthy individuals are assuming more power and influence in society. Coupled with weak accountability structures there is consequently a threat that the democratic process and resources are distorted and directed towards issues that mirror the interests of philanthropists (Edwards; 2011).

The intention of this research was to determine if, and how donors determine the agendas of receiving organisations. An emphasis was placed on the sexual and reproductive health sector in South Africa. The SRH sector in South Africa has been quite active and successful in advocating for

progressive changes to the SRH laws of the country. However, over the last 20 years there has been a notable downsizing of, or refocusing in the priorities of the sector. It was noted in this paper that the decline in funding to the sector was because of a shift in the focus and agenda of donor foundations. The rise in interest of HIV/Aids and the redirecting of funding to deal with the service delivery needs associated with this pandemic had a notable effect on the SRH sector, with many organisations incorporating an HIV/Aids angle to the work that they do in order to retain funding.

The decline in funds for certain issues, and the general reduction in funds that are available for NGO's places these organisations in challenging situations, as the existence of that organisation is determined by the ability to secure funding. Due to the funding environment that NGOs find themselves in, and the reluctance of foundations to provide operational funds, there is often a diversion in the agenda of the organisation. As explained in the paper and reiterated by Fleishman (2007:202), NGOs can at times be desperate for funds and “will stretch or distort their self-definition in an effort to appear suitable for a foundation grant”. So while foundations may not explicitly determine the agenda setting of NGOs there is an implicit impact on the agenda of NGOs due to the situation that these organisations find themselves in and where the funds are available.

4.2 Recommendations

South African NGOs have historically relied on international donors for core and programme based funding, so that when the focus for funding shifted organisations were greatly affected. To be able to avoid similar situations in the future it is recommended that NGOs foster local donor partners and individual relationships, as well as diversify their funding base so that they do not rely on a single source for funding. Where possible organisations can also look to develop their own strategies for income generation that will be able to support the activities related to their mission. These strategies should not place strain on the organisation, and result in another form of 'mission-drift' from a not-for-profit organisation to a for-profit entity. The NGO sector should also develop collaborative and coordinated approaches to the issues they face and the funding proposals that are generated. This will avoid unnecessary competition for funding, and favouritism of particular organisations, while also furthering the overall goals of the sector.

In addition to the above recommendation for NGOs, independent donors should be made aware of the impact that their decision to fund or not fund an issue has on a particular sector and the NGOs that work on those issues. Funders should be warned against trend funding because it creates a

vacuum of funding in other areas that result in the collapse of organisations that are necessary for advocacy and certain services. This can be achieved through the inclusion of NGO representatives in donor discussion forums, as discussed in the previous chapters, and by educating donors on the importance of SRH funding with an emphasis on SRH as a stand-alone human rights issue, and not part and parcel of the response to the HIV pandemic. University based research units could play a special role in the education of independent donors on the effects of their funding, and the necessity to fund particular issue areas, such as SRH. Funders should also be encouraged to commit to long-term goals and funding cycles especially for projects with advocacy goals that cannot be achieved in a single year funding.

4.3 Further research

The research provided in this paper represents a portion of the issues surrounding agenda-setting and the influence that donor funding has on NGOs. The research was limited as it focused mainly on understanding American based donors and their grant-making operations in general and in the SRH sector specifically. In order to fully understand the extent of this issue, and possibly learn some lessons, it would be useful for further research to be conducted on the funding behaviour of independent donors based outside of the US. A special focus on the growing philanthropic sector in South Africa would be useful to locally based organisations that are having to look to local sources of funding, and will be informative to the new generation of South African philanthropists. This could result in better funding practices. There is also a particular role that the South African government can play in knowing what funds, other than ODA, are coming into the country. Information can be gathered and shared on which areas are being supported by independent donors, and what the annual funding amounts are to these areas. This information would be useful to NGOs, prospective donors and government to identify the funding gaps, track the expenditure on particular issues and provide better data that could drive accountability mechanisms of spending by independent donors in the country.

The emergence of philanthrocapitalism is interesting but in order to determine whether this type of giving is effective and successful in addressing global issues, further research needs to be conducted. Particular emphasis should be placed on the methods used and the impact that this type of funding has had on NGOs and certain sectors, including industries, in the countries that have received their funding. The amount of funds being distributed by these philanthrocapitalists is unprecedented, and it would be important to see the effect that the presence of these donors

have on the social contract within the country that is receiving these funds. More information on the ensuing power relations between funder and fund recipients, within the context of growing levels of income inequality, would be useful to determine the full effect of philanthrocapitalism.

Finally this paper has addressed the topic from the aspect of the donor foundation and the practices which they employ to distribute funding. It would be useful for research to be done on the management of NGOs in the light of the declining funding environment in South Africa and what can be done to retain autonomy in agenda-setting. Understanding whether organisations cede the power to identify strategy and agendas to funders because they are a weak organisation, rather than the agenda changing being a prerequisite of aid / funding would be useful to donors and NGOs alike, as it may highlight areas of development needed for NGO management.

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